UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1999/101
30 January 1999
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 30 JANUARY 1999 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour, on instructions from my Government, to transmit to you herewith a letter dated 29 January 1999 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of Iraq, concerning the United States-United Kingdom military attack on residential areas and villages in the Governorate of Basra.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Ambassador
Chargé d'affaires a.i.

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Annex

Letter dated 29 January 1999 from the Minister for Foreign Affairs of Iraq addressed to the President of the Security Council

Further to my earlier letters to you, the most recent of which was dated 15 January 1999, I regret to inform you that in the morning of 25 January 1999, the United States and the United Kingdom launched a military attack in which United States and United Kingdom aircraft proceeding from Saudi Arabia and Kuwait conducted raids on the Governorate of Basra, in southern Iraq, using bombs and missiles, including long-range missiles. The attack involved many regions, affecting residential areas in the town of Basra itself and villages on its outskirts. This act of aggression resulted in many casualties, including a large number of women, children and elderly people, and destroyed a considerable amount of housing and property.

This criminal military attack on peaceful regions, which follows constant military attacks by the United States and the United Kingdom on long-suffering Iraq, is indicative of an established policy of those two States designed to achieve their political objectives, their goal being to violate the sovereignty, independence and territorial integrity of Iraq.

This policy of aggression declared by the leadership of the two States concerned constitutes, according to the most basic standards for international conduct, a flagrant violation of the principles of the United Nations Charter and recognized rules of international law, all of which state that the threat or use of force against the territorial integrity and political independence of any State is prohibited. The two aggressor States justified their act of aggression by claiming to uphold no-flight zone procedures.

The Iraqi Government strongly rejects the "no-flight zones", which have been imposed by the United States and the United Kingdom for no reason and without any legitimate legal basis, and rejects everything connected with that unlawful decision, including the pretexts and futile justifications used by States trying to justify their military aggression against our country. In that connection, we refer to the letter from our Permanent Representative dated 14 January 1999.

You are well aware of the responsibilities assigned by the United Nations Charter to the Organization, particularly the Security Council, with respect to the maintenance of international peace and security. We therefore draw your attention to the fact that this brutal military attack constitutes a flagrant and unquestionable breach of international peace and security, within the meaning of Article 39 of the Charter. This fact cannot be ignored or tolerated by the Security Council or the Secretary-General, particularly as the aggressor States are permanent members of the Council, to which the Charter has entrusted special responsibility with respect to the maintenance of international peace and security; their flagrant breach of international peace and security is thus one of the causes of the collapse of the collective security system laid down in the Charter and leaves the Organization with no credibility as a result of the

use of aggression and the distress of a great number of States and peoples in the world, including Iraq and its embattled people.

While drawing your attention to this situation, which has been exacerbated by the United States-United Kingdom act of aggression against Iraq, with the participation of Saudi Arabia and Kuwait, we wish to inform you that the Iraqi Government reserves the right, under international law, to defend itself and protect the sovereignty and security of Iraq and to demand compensation from the States concerned, in accordance with the rules of international liability, for all the human, material and moral injury which has resulted, and may result in the future, from these attacks.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs of Iraq